

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**BENDCO, INC.
DEBTOR**

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**CASE NO. 18-30849
(Chapter 11)**

**DEBTOR'S RESPONSE TO OMNIPOTECH LTD'S
MOTION FOR RELIEF FROM THE STAY
REGARDING NON-EXEMPT PROPERTY**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now, BENDCO, INC., Debtor (the "Debtor") and files this Response to the Motion For Relief from the Stay Regarding Non-Exempt Property (the "Motion") filed by Omnipotech, Ltd. (the "Movant"), and in support thereof, would respectfully show this Court as follows:

I.

Debtor admits the allegations contained in Paragraph I of Movant's Motion.

II.

Debtor admits the allegations contained in Paragraph II of Movant's Motion.

III.

Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph III of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

IV.

Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph IV of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

V.

Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph V of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

VI.

Debtor admits the allegations contained in Paragraph VI of Movant's Motion.

VII.

Debtor admits the allegations contained in Paragraph VII of Movant's Motion.

VIII.

Debtor admits the allegations contained in Paragraph VIII of Movant's Motion.

IX.

Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph IX of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

X.

a. Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph X(a) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

b. Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph X(b) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

XI.

Debtor admits the allegations contained in Paragraph XI of Movant's Motion. For further answer, until the personal property is replaced, it is necessary to the Debtor's operations.

XII.

a. Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph XII(a) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

b. Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph XII(b) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

XIII.

a. Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph XIII(a) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

b. Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph XIII(b) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

XIV.

Debtor admits the allegations contained in Paragraph XIV of Movant's Motion.

XV.

Debtor is without sufficient information to either admit or deny the allegations contained in Paragraph XV of Movant's Motion. Therefore, for pleading purposes, those allegations are denied.

XVI.

Debtor denies the allegations contained in the first sentence of Paragraph XVI of Movant's Motion.

a. Debtor admits the allegations contained in the first and second sentences of Paragraph XVI(a) of Movant's Motion. Debtor is without sufficient information to either admit or deny the allegations contained in the third sentence of Paragraph XVI(a) of Movant's Motion. Therefore, for pleading purposes, those allegations are denied. Debtor admits the allegations contained in the fourth sentence of Paragraph XVI(a) of Movant's Motion. Debtor denies the allegations contained in the fifth sentence of Paragraph XVI(a) of Movant's Motion.

b. Debtor denies the allegations contained in Paragraph XVI(b) of Movant's Motion.

XVII.

Debtor denies the allegations contained in Paragraph XVII of Movant's Motion.

XVIII.

Debtor admits the allegations contained in Paragraph XVIII of Movant's Motion.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that Movant's Motion for Relief from the Stay be denied, that Movant take nothing; and for such other and further relief to which he may be justly entitled.

Dated: May 23, 2018

Respectfully submitted,

FUQUA & ASSOCIATES, PC

BY: /s/ Richard L. Fuqua
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COUNSEL FOR DEBTOR

CERTIFICATE OF CONFERENCE

I hereby certify that I have previously contacted Mynde Eisen, Movant's counsel, in a good faith attempt to resolve the dispute which is the subject of Movant's Motion. At this time, settlement is possible; however, a hearing will be necessary.

/s/ Richard L. Fuqua
Richard L. Fuqua

CERTIFICATE OF SERVICE

This is to certify that on May 23, 2018, a copy of the above and foregoing instrument was forwarded by U.S. mail, first class postage prepaid to the parties listed below; and via ECF to all parties registered to received notice through the Court's ECF System.

Mynde Eisen, Esq.
6546 Greatwood Parkway, Suite C
Sugar Land, Texas 77479

United States Trustee
515 Rusk Ave., Suite 3516
Houston, Texas 77002

/s/ Richard L. Fuqua
Richard L. Fuqua